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Attorneys for Defendant Meta Platforms, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

EPIDEMIC SOUND, AB,

Plaintiff,

VS.

META PLATFORMS, INC., f/k/a FACEBOOK,
INC.,

Defendant.

CASE NO. 3:22-cv-04223-JSC

**STIPULATION AND [PROPOSED]
ORDER AMENDING CASE SCHEDULE**

The Honorable Jacqueline Scott Corley

1 Pursuant to Civil Local Rules 6-1(b) and 6-2, IT IS HEREBY STIPULATED AND
 2 AGREED, by and among Plaintiff Epidemic Sound, AB (“Plaintiff”) and Defendant Meta
 3 Platforms, Inc. f/k/a Facebook, Inc. (“Defendant”), by and through their respective counsel of
 4 Record (together, the “Parties”), as follows:

5 1. WHEREAS, on January 28, 2025, the Court set the Trial Date for January 21, 2026,
 6 and instructed the Parties to meet and confer and propose amendments to the case schedule setting
 7 the remaining deadlines in the case;

8 2. WHEREAS, on January 28, 2025, the Court granted the Parties’ stipulation
 9 regarding the amended case schedule (Dkt. No. 225);

10 3. WHEREAS, on April 1, 2025, the Court granted the Parties’ stipulation extending
 11 the fact deposition deadline to allow certain depositions to be conducted (Dkt. No. 265);

12 4. WHEREAS, on May 13, 2025, the Court granted the Parties’ stipulation regarding
 13 the amended case schedule (Dkt. No. 273);

14 5. WHEREAS, on August 4, 2025, the Court granted the Parties’ stipulation extending
 15 the expert discovery cut-off (Dkt. No. 283);

16 6. WHEREAS, on August 28, 2025, the Court vacated the Trial Date for this case,
 17 pending the Supreme Court decision in *Cox Communications, Inc. v. Sony Music Entertainment*
 18 (Dkt. No. 311);

19 7. WHEREAS, on September 9, 2025, the Court granted the Parties’ stipulation
 20 regarding the amended case schedule (Dkt. 316);

21 8. WHEREAS, on October 3, 2025, the Court granted the Parties’ stipulation
 22 adjourning the briefing schedule and hearing date on Epidemic’s Motion for Leave to Reopen Fact
 23 Discovery (Dkt. No. 322);

24 9. WHEREAS, on October 7, 2025 the Court granted the Parties’ stipulation regarding
 25 the amended case schedule; and

26 10. WHEREAS, pursuant to Civil L.R. 6-2(a)(2), there have been 24 other time
 27 modifications in this case: (1) an extension for time for Defendant to respond to the Complaint
 28 (Dkt. No. 27), (2) an extension to the Parties’ briefing schedule on Defendant’s motion to dismiss

1 (Dkt. No. 34); (3) a 60-day continuance of the fact discovery cut-off (Dkt. No. 101 at 3); (4) an
 2 order temporarily vacating upcoming deadlines until the Court enters an amended case schedule
 3 (Dkt. No. 117); (5) an extension of time for Plaintiff to file its reply in support of its motion to
 4 strike (Dkt. No. 132); (6) an order resetting the case schedule (Dkt. No. 151); (7) an extension of
 5 time for Defendant to produce its music partners' license agreements until August 30, 2024 (Dkt.
 6 No. 159); (8) a continuance of a Case Management Conference (Dkt. No. 160); (9) an order
 7 resetting a Case Management Conference from October 3, 2024 to October 17, 2024 (Dkt. No.
 8 165); (10) a further extension of time for Defendant to produce its music partners' license
 9 agreements until September 30, 2024 (Dkt. No. 169); (11) a further extension of time for Defendant
 10 to produce its music partners' license agreements until October 18, 2024 (Dkt. No. 172); (12) a 1-
 11 day advancement of a Case Management Conference (Dkt. No. 175); (13) an order amending the
 12 case schedule (Dkt. No. 181); (14) a further extension of time for Defendant to produce its music
 13 partners' license agreements until November 17, 2024 (Dkt. No. 184 at 8:17-9:12); (15) a 7-day
 14 continuance of a Case Management Conference from December 12, 2024 to December 19, 2024
 15 (Dkt. No. 185); (16) a further extension of time for Defendant to produce its music partners' license
 16 agreements until November 22, 2024 and for the Parties to exchange and confer regarding privilege
 17 logs (Dkt. No. 187); (17) a continuance on the hearing of Plaintiff's Motion to Compel the
 18 Production of an Export of its Rights Manager Account and for Reconsideration of the Court's
 19 October 10, 2024 Order from December 26, 2024 to January 9, 2025 (Dkt. No. 190); (18) a further
 20 extension of time for Defendant to produce its music partners' license agreements until February
 21 12, 2025 (Dkt. No. 199); (20) a continuance of a Case Management Conference from December
 22 19, 2024 to January 28, 2025 (Dkt. Nos. 205, 206); (21) an advancement of the hearing on
 23 Plaintiff's Motion to Compel the Production of an Export of its Rights Manager Account and for
 24 Reconsideration of the Court's October 10, 2024 Order and Plaintiff's Motion for Leave to File
 25 Motion for Reconsideration and to Compel Production from January 30, 2025 to January 28, 2025
 26 (*id.*); (22) a further extension of time for Defendant to produce its music partners' license
 27 agreements until March 25, 2025 (Dkt. No. 230); (23) a further extension of time for Defendant to
 28 produce its music partners' license agreements until April 24, 2025 (Dkt. No. 259); and (24) a

1 further extension of time for Defendant to produce its music partners' license agreements until
 2 May 28, 2025 (Dkt. 274).

3 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among
 4 Plaintiff and Defendant, through their undersigned counsel of record, and subject to the approval
 5 of the Court, that the current deadlines in the case schedule shall be amended to the Amended
 6 Deadlines as follows:

Motion/Hearing	Current Deadline	Amended Deadline
Epidemic's Reply ISO Motion To Strike Second Supplemental Fink Report	November 26, 2025	December 3, 2025
Epidemic's Opposition to Meta's <i>Daubert</i> Motions to Exclude Expert Testimony of Sharp and Geluso	December 3, 2025	December 12, 2025
Meta's Opposition to Mot. for Sanctions	December 3, 2025	December 12, 2025
Oppositions to Dispositive Motions	December 19, 2025	December 19, 2025
Meta's Replies ISO <i>Daubert</i> Motions to Exclude Expert Testimony of Sharp and Geluso	December 10, 2025	January 15, 2026
Epidemic's Reply ISO Motion for Sanctions	December 10, 2025	January 15, 2026
Replies to Dispositive Motions	January 22, 2026	January 26, 2026
Responses to All Admin. Sealing Motions Filed in Connection with Dispositive, <i>Daubert</i> , and Sanctions Motions and Oppositions	7 days after filing	February 2, 2026
Responses to All Admin. Sealing Motions Filed in Connection with Replies ISO Dispositive, <i>Daubert</i> , and Sanctions Motions	7 days after filing	February 9, 2026

Motion/Hearing	Current Deadline	Amended Deadline
Hearing on Motion To Strike Second Supplemental Fink Report*	December 11, 2025	Meta Proposal: February 5, 2026
Hearing on Motion for Sanctions*	January 8, 2026	
Hearing on Meta's <i>Daubert</i> Motions to Exclude Expert Testimony of Sharp and Geluso*	January 15, 2026	Epidemic Proposal: February 26, 2026
Hearing on Dispositive Motions	February 26, 2026	February 26, 2026

*If necessary, with parties reserving all positions.

The Parties have been unable to reach an agreement about the hearing dates for Plaintiff's Motions to Strike the Second Supplemental Fink Report and for Sanctions and Defendant's Motions to Exclude Expert Testimony of Paul Geluso and Bradley T. Sharp. The Parties' respective proposals are reflected in the chart above. It is Plaintiff's position that the Hearings on the Motion for Sanctions and Meta's *Daubert* Motion to Exclude Prof. Geluso, at the very least, should be combined with the Hearing on the parties' Summary Judgment Motions, as many of the issues and arguments presented on those motions overlap with the issues and arguments presented on summary judgment. Defendant disagrees, and its position is that staged hearings on non-dispositive and dispositive motions will allow the Court and the parties to divide their time most efficiently, and that a combined hearing is unnecessary as each motion stands on its own (especially in light of the fact that all non-dispositive motions were originally noticed for hearing dates well in advance of the dispositive motions hearing date). The Parties defer to the Court's preference on whether to consider the motions in separate hearings or all together on February 26.

IT IS SO STIPULATED.

1 Respectfully submitted,

2 Dated: November 25, 2025

PRYOR CASHMAN LLP

3 /s/ M. Mona Simonian

4 Ilene S. Farkas
5 M. Mona Simonian
6 Marion R. Harris
7 Brian M. Maida

8 *Attorneys for Plaintiff Epidemic Sound, AB*

9 Dated: November 25, 2025

LATHAM & WATKINS LLP

10 /s/ Joseph R. Wetzel

11 Joseph R. Wetzel
12 Allison L. Stillman
13 Brittany N. Lovejoy
14 Sarang V. Damle
15 Brent T.F. Murphy

16 *Attorneys for Defendant Meta Platforms, Inc.*

~~[PROPOSED] ORDER~~**PURSUANT TO STIPULATED DATES, IT IS SO ORDERED.**

As to the disputed dates, the hearings are hereby scheduled as follows:

Hearing	Date
Hearing on Motion to Strike Second Supplemental Fink Report	February 26, 2026 at 10:00 a.m. in SF.
Hearing on Motion for Sanctions	February 26, 2026 at 10:00 a.m. in SF.
Hearing on Meta's <i>Daubert</i> Motions to Exclude Expert Testimony of Sharp and Geluso	February 26, 2026 at 10:00 a.m. in SF.

SO ORDERED.Dated: November 25, 2025


HON. JACQUELINE SCOTT CORLEY
U.S. District Court Judge